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*Attorney for Don Eugene White*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff;

vs.

DON EUGENE WHITE,

Defendant.

CASE NO.: 2:15-cr-00144-KJD-PAL

**STIPULATION AND PROPOSED  
ORDER TO CONTINUE SENTENCING**

**(Second Request)**

Don White, by and through his counsel of record, Kathleen Bliss, Esq., of the law firm Kathleen Bliss Law PLLC; and the United States of America, by and through Assistant United States Attorney Phillip Smith, hereby stipulate and request that the Court vacate Mr. White's sentencing hearing currently set for December 4, 2018 and continue it to a later date, but no sooner than thirty days (30 days). This stipulation is made and based upon the following:

1. Counsel needs time to meet with defendant prior to sentencing date in preparation of a sentencing memorandum. He was transferred from FCI Tucson to Pahrump on October 23, 2018 awaiting sentencing.
2. Defendant needs time to review his file before sentencing.
3. Furthermore, Mr. White has family out of state who must make arraignments, so they can attend.
4. Mr. White is in custody pending sentencing, but he does not object to this continuance.
5. The additional time requested by this stipulation is reasonable pursuant to Fed. R.

Crim. P. 32(b)(2), which states that the “court may, for good cause, change any time limits prescribed [for sentencing] in this rule.” Furthermore, a delay in sentencing does not implicate or undermine the defendant’s speedy trial rights under the United States Constitution. *See Betterman v. Montana*, 136 S.Ct. 1609, 1617-18 (2016).

6. This is the second request for a continuance of the sentencing. The additional time requested herein is not sought for purposes of delay.
7. Denial of this request for a continuance would deny counsel for Mr. White sufficient time to effectively and thoroughly prepare for sentencing, taking into account due diligence. Accordingly, a denial of this request for continuance could result in a miscarriage of justice.

Dated this 1<sup>st</sup> day of November 2018.

/s/ Phillip Smith

PHILLIP SMITH  
Counsel for the United States

/s/ Kathleen Bliss

KATHLEEN BLISS  
Counsel for Andres Rodriguez

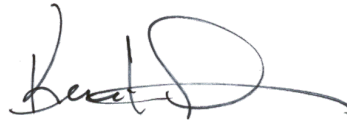
**ORDER**

Based upon the stipulation of the parties, and good cause appearing, it is hereby ORDERED that Mr. White's sentencing hearing currently set for December 4, 2018, be, and the same hereby is, VACATED.

IT IS FURTHER ORDERED that the sentencing hearing is reset for 2/6/19, at the hour of 9:00 a.m. in **Courtroom 4A** before Judge Kent J. Dawson.

IT IS SO ORDERED.

DATED: 11/2/2018



HONORABLE KENT J. DAWSON  
UNITED STATES DISTRICT JUDGE